

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

RAMON A. BORROTO,

Plaintiff,

vs.

5:04cv165-RH/WCS

OFFICER T. McDONALD, et al.,

Defendants.

REPORT AND RECOMMENDATION

Plaintiff, an inmate proceeding *pro se*, has filed a civil rights complaint, doc. 1, and an application to proceed *in forma pauperis* (IFP). Doc. 2. Plaintiff's inmate account statement shows that he has a current balance of \$808.06. The Prisoner Consent Form and Financial Certificate submitted by the Plaintiff specifically states:

If my current account balance is more than \$200.00, I will not qualify for *in forma pauperis* status. I must pay the full \$150 filing fee before the Court will consider the merits of my complaint.

In light of the above, it is respectfully **RECOMMENDED** that the Plaintiff's motion for leave to proceed *in forma pauperis*, doc. 2, be **DENIED** and that the order adopting this report and recommendation give Plaintiff thirty (30) days to submit the \$150 filing fee.

IN CHAMBERS at Tallahassee, Florida, on July 22, 2004.

s/ William C. Sherrill, Jr.
WILLIAM C. SHERRILL, JR.
UNITED STATES MAGISTRATE JUDGE

NOTICE TO THE PARTIES

A party may file specific, written objections to the proposed findings and recommendations within 15 days after being served with a copy of this report and recommendation. A party may respond to another party's objections within 10 days after being served with a copy thereof. Failure to file specific objections limits the scope of review of proposed factual findings and recommendations.